

Governor report that they have discharged their duty by informing his Excellency that the Senate had completed its organization and was prepared for the transaction of business.

A. J. FOUNTAIN,
Chairman.

On motion of Senator Cole, Senate adjourned until eleven o'clock to-morrow morning.

FIFTH DAY'S PROCEEDINGS.

SENATE CHAMBER,
AUSTIN, February 12, 1870.

Senate met pursuant to adjournment.

Lieutenant-Governor J. W. Flanagan, presiding.

Roll called; quorum present.

Minutes of yesterday read.

Senator Parsons suggested a correction therein by inserting the name of John G. Bell on the Committee on Federal Relations, it having been omitted on minutes of previous day.

There being no further objections, the minutes were adopted.

Communication from his Excellency E. J. Davis, Provisional Governor of the State of Texas:

EXECUTIVE OFFICE,
AUSTIN, February 11, 1870.

Hon. J. W. FLANAGAN,

Lieutenant-Governor:

SIR: I have to acknowledge the receipt of a communication from the body over which you preside, presented by the Hon. Messrs. Fountain, Ruby and Evans, committee for the purpose of informing me of the complete organization of the Senate, and a readiness to receive any communication I might wish to make to the same.

While I thank your House for the courtesy thus extended, I deem it my duty to say, that under the circumstances of the present organization of the Legislature, it would not, in my opinion, be proper for me to assume to direct their deliberations by sending any formal official message to the House.

It would give me pleasure, however, to facilitate your body in the

transaction of the business now before it, in any way within my control, by furnishing information, or otherwise.

I have the honor to be,

very respectfully,

your obedient servant,

EDMUND J. DAVIS,

Provisional Governor.

Communication from Gen. J. J. Reynolds, commanding.

HEADQUARTERS FIFTH MILITARY DISTRICT,

(STATE OF TEXAS)

OFFICE OF SECRETARY OF CIVIL AFFAIRS,

AUSTIN, TEXAS, February 12, 1870.

Hon. J. W. FLANAGAN,

President of the Senate,

Austin, Texas:

SIR: I have the honor to inform you that it has been decided that the Hon. M. Priest is ineligible to a seat in the Senate under the reconstruction laws.

Very respectfully,

your obedient servant,

J. J. REYNOLDS,

Bvt. Major General U. S. A., commanding.

Senator Flanagan moved that the Chairman of the Committee on Contested Elections be authorized to employ a clerk during their sitting.

Adopted.

Senator Latimer moved that the members of the Senate continue to occupy the seats they now hold, without drawing for seats during the present session of the Legislature.

Adopted.

Senator Mills moved to adjourn, which motion was afterwards withdrawn.

Resolution of Senator Douglas.

WHEREAS, The proposed Constitution of the State of Texas has not yet received the final approval of Congress, and has no force or effect at law;

Be it resolved by the Senate, That the Supreme Court libraries, now at Galveston and Tyler, should not be disposed of by the State

or removed from those places until after the State has been fully admitted, and the State Constitution has become binding as law.

Which resolution was objected to by Senator Ruby, whereupon the Chair ruled that it cannot be entertained by this body at this time.

Senator Douglas appealed from the decision of the Chair.

Yeas and nays taken, and the Chair sustained in its decision.

Senator Evans, of McLennan, moved that the Senate of Texas (the House of Representatives concurring,) proceed at the time and in the manner prescribed by the laws of Congress of the United States, to elect three United States Senators to represent the State of Texas in the United States Senate, as follows : one to serve from the admission of the State to representation, until the fourth day of March, 1871.

One to serve from admission to fourth day of March, 1871. ⁵

One to serve from March fourth, 1871, to March fourth, 1877.

Senator Fountain moved to refer said resolution to the Committee on Federal Relations, which motion was afterwards withdrawn.

Senator Parsons moved as a substitute, to go into Committee of the Whole, which motion was adopted, and Senator Parsons appointed chairman.

IN SENATE.

The Chairman of the Committee of the Whole reported progress, and asked leave to sit again on Monday at eleven o'clock, A. M.

Report read, and leave granted.

Senator Cole offered the following resolution :

Resolved, That the Secretary be authorized to procure a complete copy of all the reconstruction acts for the use of each member of this House.

Adopted.

On motion of Senator Alford, Senate adjourned until ten o'clock, Monday morning.
